

PROB 12B  
(7/93)

UNITED STATES DISTRICT COURT      FILED

for

WESTERN DISTRICT OF TEXAS

May 07, 2024

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS

BY: \_\_\_\_\_ ps  
DEPUTY

**Request for Modifying the Conditions or Term of Supervision  
with Consent of the Offender**

*(Probation Form 49, Waiver of Hearing is Attached)*

Name of Offender: Benjamin Joost Bogard Case Number: 5:19-CR-00106-DAE(1)

Name of Sentencing Judicial Officer: Honorable David A. Ezra, United States Senior District Judge

Date of Original Sentence: August 5, 2019

Original Offense: Possession of Obscene Visual Representation of Sexual Abuse of Children

Original Sentence: Eighty (80) months imprisonment followed by three (3) years of supervised release

Type of Supervision: Supervised Release Date Supervision Commenced: October 6, 2023

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**PREVIOUS COURT ACTION**

None.

**PETITIONING THE COURT**

- To extend the term of supervision \_\_\_\_ years, for a total of \_\_\_\_ years.  
 To modify the conditions of supervision as follows:

**The defendant shall participate in a mental health treatment program and follow the rules and regulations of that program. The probation officer, in consultation with the treatment provider, shall supervise participation in the program (provider, location, modality, duration, intensity, etc.). The defendant shall pay the costs of such treatment if financially able.**

**CAUSE**

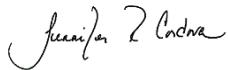
On October 6, 2023, Mr. Bogard was released from custody and commenced the term of supervised release. Mr. Bogard is following the conditions of supervision, he currently lives with his parents and is a full-time student, working on a degree in engineering.

On October 21, 2023, Mr. Bogard completed a psychosexual evaluation to determine treatment needs. According to the licensed sex offender therapist, Carolyn Turner, Mr. Bogard does not appear to need sex offender treatment but could benefit from mental health treatment. Mr. Bogard agreed to follow this recommendation and is attending treatment with Riverstone Counseling Services. He also agreed to waive his right to counsel and signed a Prob 49, Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision, to include mental health

Benjamin Joost Bogard  
5:19-CR-00106-DAE(1)  
April 29, 2024  
Page 2

treatment as a condition of supervised release. The probation officer respectfully recommends the Court modify the conditions of supervised release as requested.

Approved:



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Jennifer R. Cordova  
Supervising U.S. Probation Officer  
Telephone: (210) 472-6590, Ext. 55365

cc: Tracy Thompson  
Assistant U.S. Attorney

Brenda Trejo-Olivarri  
Assistant Deputy Chief U.S. Probation Officer

Respectfully submitted,



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Hector Medina  
Senior U.S. Probation Officer  
Telephone: (210) 472-6590, Ext. 55325  
Date: April 29, 2024

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THE COURT ORDERS:

- None.  
 The extension of supervision as noted above.  
 The modification of conditions as noted above.  
 Other \_\_\_\_\_



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Honorable David A. Ezra  
Senior U.S. District Judge

05/07/2024

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Date

PROB 49  
(3/89)

United States District Court  
Western District of Texas

**Waiver of Hearing to Modify Conditions  
of Probation/Supervised Release or Extend Term of Supervision**

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision.

The defendant shall participate in a mental health treatment program and follow the rules and regulations of that program. The probation officer, in consultation with the treatment provider, shall supervise participation in the program (provider, location, modality, duration, intensity, etc.). The defendant shall pay the costs of such treatment if financially able.

Witness: Hector Medina  
U.S. Probation Officer

Signed: Bragg  
Probationer or Supervised Releasee

4/25/2024  
Date